Village of Indian Head Park 201 Acacia Drive Indian Head Park, IL 60525 MEETING MINUTES BOARD OF TRUSTEES

"Pursuant to 5 ILCS 120/2.06 (3) minutes of public meetings shall include, but need not be limited to a general description of all matters proposed, discussed, or decided and a record of votes taken."

Thursday, June 12, 2014

7:30 p.m.

CALL TO ORDER - MAYOR RICHARD S. ANDREWS

The regular meeting of the Village of Indian Head Park Board of Trustees was held on Thursday, June 12, 2014 at the Municipal Facility, 201 Acacia Drive, and was convened at 7:30 p.m. by Mayor Richard S. Andrews. Village Clerk Joseph Consolo called the roll as follows:

ROLL CALL: JOSEPH CONSOLO, VILLAGE CLERK

PRESENT (AND CONSTITUTING A QUORUM):

Mayor Richard Andrews
Trustee Brian T. Bailey
Trustee Tom Hinshaw
Trustee Brenda O'Laughlin
Trustee Norman L. Schnaufer
Trustee Matt Walsh
Trustee Amy Jo Wittenberg

ALSO PRESENT:

Dave Brink, Finance Director
John Brooks, Chief of Police/Administration
Steve Busa, Treasurer
Joseph V. Consolo, Village Clerk
Richard Ramello, Counsel, Storino, Ramello & Durkin
Edward Santen, Water/Public Works Superintendent
Dave Vandervelde, Christopher Burke Engineering

For the record, Mayor Andrews noted Board meetings are being videotaped by the Village as well as video or audio recordings by others.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Andrews and the Board of Trustees led the audience in reciting the Pledge of Allegiance to the Flag: "I Pledge Allegiance to the Flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all".

MAYOR'S REPORT - RICHARD ANDREWS

Mayor Andrews reported Metra is working on the tracks on the Burlington Northern line and they expect some delays for commuters.

Mayor Andrews reported the Village is into a three month extension with the prior service electric aggregation program with Constellation Energy. He noted the prior agreement expired in May, there was a thirty day extension at a rate of 5.85 cents per kilowatt hour, at that time the Village was asking for a longer term and Constellation came back and the Board discussed a three year contract at a rate of 7.1 cents per kilowatt hour. Mayor Andrews noted Constellation would not sign the extension agreement in part due to the price protection guarantee that states if the ComEd rate drops below the 7.1 cents the Village could terminate the agreement. Mayor Andrews stated Constellation mentioned the Village would have a difficult time finding an alternate energy supplier that would be willing to give that type of price guarantee and since he did not have authorization to sign the agreement it came back before the Board. The Board gave authorization to extend the agreement for an additional sixty to ninety days at a rate from Constellation of 7.68 cents per kilowatt hour while the Board goes out for bids from other electric supplier companies.

Mayor Andrews stated Commonwealth Edison's adjusted rate back in May was 7.59 cents per kilowatt hour and there is another rate for price of energy at ½ cent per kilowatt hour (the total price to compare the electric rate for Commonwealth Edison is 8.09 cents per kilowatt hour) and the Village is paying 7.68 cents per kilowatt hour through the September 9th meter read. Mayor Andrews pointed out Counsel has advised there is a two step process, one is to solicit bids from alternate energy suppliers and for those suppliers to identify in their agreements any provisions they object to or would seek to modify and two to determine whether to accept those bids or eliminate any for further consideration. Mayor Andrews stated the Board would be in a position to take action at the July Board meeting to award a contract to an electric supplier, there would be a transition period if a new electric supplier is selected and if a decision is made not to extend an agreement with a new alternate energy supplier but to return everyone to ComEd, the Illinois Commerce Commission requires customers to remain with ComEd for twelve months before switching to another company.

Mayor Andrews stated everyone is aware the road bond referendum passed in March, the road program is expected to start shortly but was delayed due to events beyond the Village's control and resulted in various documents for the road program being tabled which again appear on the agenda this evening. Mayor Andrews further stated in connection with the bond issue he has good news to report.

The Village participated in a process for the first time with Standard and Poor to receive a rating, the evaluation included various information from the Village that was provided to Standard and

Poor representatives and a conference call with the analyst from Standard and Poor that also included Chief Brooks, Treasurer Busa, Dave Brink, and Dave Phillips from Speer Financial. The result was a rating of AA minus for the Village of Indian Head Park and the top of the evaluation rating is AAA, AA plus, AA then AA minus. Mayor Andrews stated the AA minus rating will help the Village when the Village goes out for the bond auction and he anticipated that would happen at the May 8th Board meeting. After the referendum passed he met with Dave Vandervelde, the Village Engineer and Ed Santen to move things along to start working on specifications for the road program to go out for bid and open those bids on May 5th in anticipation of having the money in place on May 8th to award the contract for the road program. Mayor Andrews stated on May 7th, he received a phone call from Rich Ramello, the bond counsel from Chapman and Cutler and Dave Phillips from Speer Financial who reported that Chapman and Cutler was unable to release their opinion letter because they were still involved with completing their due diligence and there appeared to be a problem that was unforeseen by the Village of Indian Head Park. Mayor Andrews stated when the Village passed the ordinance in December to get the referendum on the ballot (Ordinance 2013-12) the Village provided an ordinance with ballot language to the Cook County Clerk's Office that included language for notice to be published in the newspaper prior to the election. He noted there are various requirements according to election law, one of which is an interest rate not to exceed 9% by Illinois law, boilerplate language for the notice included the interest rate and that was in the ordinance the Board passed and filed with the Cook County Clerk's Office. Mayor Andrews stated the problem arose when Chapman and Cutler discovered that Cook County did not publish that one line with the interest rate in the notice, bond counsel provided some alternatives and the best alternative to resolve the problem was to seek legislation in Springfield to fix this issue.

Mayor Andrews stated the Village could have gone to a private auction to get the funds but there would be some ramifications with publicity if the Board decided to go that route, all the Trustees were briefed prior to the May 8th Board meeting about this situation, the best remedy suggested was the legislative route, all the road bond documents were tabled at the May 8th meeting and it was suggested to get a lobbyist to help with this matter to get it resolved. Mayor Andrews further stated there were some questions where do we get the money for the lobbyist, he made a decision Monday morning and informed John Brooks to enter into an agreement with a lobbyist at a cost of \$7,500, Chapman and Cutler provided language for the legislation and without hesitation our State representative Jim Durkin and Senator Christine Radogno sponsored an amendment to another bill in Springfield that now allows the Village to go forward if the notice of publication error never happened. Mayor Andrews stated the lobbyist pursued the matter on behalf of the Village downstate and provided testimony to one of the committees, the legislation passed through the House and Senate, it is on the Governor's desk to sign before the Village can move forward with the road program then bond counsel can move forward within seven days to the bond auction. Mayor Andrews stated the lobbyist informed the Village the final vote on the Village's senate bill was enacted at about 7:45 p.m. and he complimented counsel, representatives from Chapman and Cutler, Speer Financial, the lobbyist as well as Representative Durkin and Senator Radogno for their work on this matter.

Mayor Andrews stated he is confident a road program will take place this summer, the low bidder for the road program was Central Blacktop and the contract can be awarded once we have the money so we cannot take any action yet. However, a special meeting is tentatively set for June 26th regarding the budget so the road bond documents can be added to that agenda if everything else is in order by that date. Mayor Andrews stated Dave Phillips from Speer Financial pointed out there has been some movement in the financial market but he anticipates the Village will get a good rate. Mayor Andrews reiterated, the correct language was sent to the Cook County Clerk, the Village was asked to proof the ballot question language but was never asked to proof the notice of publication by the County and that error at the County would not allow bond counsel to issue their opinion letter and go to auction for the bond money. Mayor Andrews stated the Governor has a water infrastructure initiative throughout the State so it was pointed out that in addition to the road project the Village will also be replacing two watermains so that may help encourage the Governor to sign the bill.

Mayor Andrews stated procedurally what happened at the May 8th Board meeting, there was a motion by the Board to approve the road bond documents then a motion to table those items for placement on a future agenda for approval. He added the Board again will be voting on the first four items on the agenda to remove those documents from the table to discuss it followed immediately by another motion to lay it on the table to delay action until the Governor signs the bill about the road bond.

Mayor Andrews stated Illinois State law requires the Village each year in June to adopt a Prevailing Wage Rate Ordinance in connection with wages paid to workers on public improvement projects.

CONSENT AGENDA

Approval of an Ordinance Adopting Prevailing Wage Rates for the Year 2014 for the Village of Indian Head Park (Ordinance #2014-10)

Mayor Andrews entertained a motion to approve the Consent Agenda. Trustee Walsh moved, seconded by Trustee Bailey, to approve the Prevailing Wage Rate Ordinance for the year 2014 for the Village of Indian Head Park. Motion carried by unanimous roll call vote (6/0/0).

Ayes: Trustees: Bailey, Hinshaw, O'Laughlin, Schnaufer, Walsh, Wittenberg

Nays: None Absent: None

APPROVAL OF FINANCIAL REPORT

Financial Report for the Month ending May 31, 2014

Treasurer Steve Busa presented the financial report for the month ending May 31, 2014. For the month of May, he noted: total revenues were \$215,719.04; expenditures were \$365,160.66 and fund balances in all accounts at the end of May were \$1,501,039.34.

Trustee Hinshaw stated he was looking for the detailed billing for Christopher Burke Engineering and Storino, Ramello and Durkin in an electronic format and he did not receive it. Mayor Andrews stated he does not have the information ready at this time. Trustee Schnaufer moved, seconded by Trustee O'Laughlin, to approve the financial report for the month ending

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May 31, 2014, as presented by Treasurer Busa. Motion carried by unanimous roll call vote (6/0/0).

Ayes: Trustees: Bailey, Hinshaw, O'Laughlin, Schnaufer, Walsh, Wittenberg

Nays: None Absent: None

APPROVAL OF BOARD MEETING MINUTES

Minutes of the Regular Board Meeting – May 8, 2014

After review of the regular Board meeting minutes, Trustee Walsh moved, seconded by Trustee O'Laughlin, to approve the May 8, 2014 meeting minutes, as presented. Motion carried by unanimous voice vote (6/0/0).

QUESTIONS AND/OR COMMENTS FROM THE AUDIENCE – AGENDA ITEMS ONLY

Chris Metz, of Arrowhead Court, stated he realizes all of the road program items were tabled from last month, residents were kept in the dark last month as to what is going on and why the road bond issue was tabled, there was a mention of ramifications and he asked what are the ramifications because they are not relevant any more. Mayor Andrews stated the ramifications were not in connection with any of the ordinances or resolutions on the agenda. He noted the potential for ramifications would have been if the Village had gone to a private purchaser of the bond issue rather than a public auction and that was explained to all Trustees prior to the Board meeting last month. Mayor Andrews pointed out there is a legislative remedy with respect to the notice issue so the Village intends to go forward and hold a public auction, prior to the May 8th meeting he learned of an issue from bond counsel that was 24 hours old and the Board was trying to figure out what to do. Chris Metz stated he submitted a F.O.I.A. for information and was not given an answer from counsel other than it was attorney client privileged but he did find Indian Head Park on the State website and the legislation and contacted Representative Durkin's office and they provided information about what was going on.

Trustee Hinshaw stated Mayor Andrews mentioned that Chapman and Cutler or Speer Financial needed seven days to get ready. He stated the bond sale is set for the 19th at 10:30 a.m. He asked if there is a point that the Governor does not sign the legislation by a certain date do we push it to another day or week. Mayor Andrews stated that Speer Financial typically needs seven days to go forward and he does not know if the Governor does not sign it when the date will be set but a special meeting can be called if necessary. Trustee Hinshaw stated he appreciates the efforts of Mayor Andrews to get us to this point and he asked the approximate cost of a lobbyist. Mayor Andrews stated the flat rate of \$7,500 is the cost for a lobbyist.

Trustee Wittenberg asked who was responsible for proofreading the ballot copy for publication in the newspaper. She asked how we will determine that responsibility, if it is the County's responsibility will they bear the cost or if it was an error by the printer can we get some of our costs back.

Mayor Andrews stated he does not know where the fault lies, the Village was not asked to proof the notice, we have had referendums over the past years and have not had this issue before. Trustee Wittenberg stated the person running the ad is responsible for paying for the ad so the printer has no liability for the content of the ad. She asked Counsel Ramello who would be responsible. Counsel Ramello stated if the County Clerk sent the correct notice to the printer and the printer made the mistake of not including the line that was required there would be some responsibility on the printer. However, if the County Clerk sent the notice to the printer with that line missing, there would be some responsibility of the County Clerk. He noted Cook County is a governmental agency that has certain immunities under the Tort Immunity Act so it might be unlikely for the Village to recover any costs.

Joan Metz, of Arrowhead Court, stated with regard to the timeline it is her understanding from conversations with legislative offices today there is no guarantee when the Governor will sign the bill, it could take to August but if it goes to the end of the month or beginning of July the original working time was 60 working days. She asked what happens to that timeframe and at what point does it become something that cannot be done this year. Mayor Andrews said if it becomes too late to do the whole project this year the project may have to be split for part to be done this year and the rest to be done next year and that would be determined as circumstances unfold and based on our engineer's recommendation and representatives from Central Blacktop. Joan Metz stated previously it was mentioned there was a need to move the project along based on the timeline and will the project be delayed. Mayor Andrews stated if the project starts by July 1st it will get done this year, the controller of Central Blacktop is a resident of Indian Head Park and there is still time to get it done with the current the bid price. Joan Metz stated the bid is written a certain way to protect the contactor as well and there is only so much he will do before he has to charge more. Mayor Andrews stated the bid is good for sixty days from the date of the bid opening and he will leave the construction schedule to the experts.

AGENDA ITEMS (DISCUSSION AND A POSSIBLE VOTE MAY TAKE PLACE)

Mayor Andrews stated since there are some open issues with the road bond and the Board is not in a position to take final action, the first four items on the agenda will be removed from the agenda this evening and placed back on the agenda at the next meeting for consideration. He noted the Board must make a motion to remove the items from the table then a motion to lay the item back on the table at the next meeting.

1. An Ordinance Providing for the Issuance of \$2,500,000 General Obligation Bonds, Series 2014, of the Village of Indian Head Park, Cook County, Illinois, for the Purpose of Providing for the Payment of Costs of Roadway Improvements within the Village, for the Payment of the Expenses Incident Thereto and Providing for the Levy and Collection of a Direct Annual Tax Sufficient for the Payment of the Principal and Interest of Said Bonds.

Trustee Schnaufer moved, seconded by Trustee Bailey, to remove the ordinance from the table. Carried by unanimous voice vote (6/0/0). Trustee Walsh moved, seconded by Trustee Schnaufer, to lay the ordinance back on the agenda at the next meeting. Carried by unanimous voice vote (6/0/0).

2. A Resolution Authorizing the Execution of a Legal Services Agreement by and Between Storino, Ramello & Durkin and the Village of Indian Head Park, Illinois, for the Issuance of the Village's \$2.5M General Obligation Bond, Series 2014;

Trustee Hinshaw asked why do we need authorization for execution of an agreement with Storino, Ramello and Durkin for the \$2.5 million dollar General Obligation Bond. Mayor Andrews stated Counsel has advised that when a matter has been tabled the effect is that it will expire at the end of the meeting following the meeting which is was laid on the table. He noted the agreement is for legal services from our firm in connection with the road bond to work with Chapman and Cutler and Speer Financial. Trustee Hinshaw referenced Page 13 of the resolution authorizing execution of a legal services agreement with Storino, Ramello and Durkin, Section 9.2.4 and 9.2.5 that states no officer or employee of the Village will receive any gratuity, discount, etc. and it goes on to say the attorney has not given to any officer or employee of any gratuity or discount. Trustee Hinshaw suggested to add language to both sections that the same would apply to any former officers or employees of the Village. Counsel Ramello stated the sections are from the Village code, the regulation comes from the State Gift Ban Act which the Village adopted by ordinance. He asked Trustee Hinshaw if he is asking to amend the ordinance previously approved. Trustee Hinshaw stated when he made his request he was not aware of the link to the other ordinance and suggested the reference to former officers or employees could be added to the resolution. Counsel Ramello states since the resolution is being tabled he will look into the matter and it can be taken up again at the next meeting.

Trustee Walsh moved, seconded by Trustee Bailey, to remove the resolution from the table. Carried by unanimous voice vote (6/0/0). Trustee Schnaufer moved, seconded by Trustee Bailey, to lay the resolution back on the agenda at the next meeting. Carried by unanimous voice vote (6/0/0).

3. A Resolution Authorizing the Execution of a Legal Services Agreement by and between Chapman and Cutler, LLP and the Village of Indian Head Park, Illinois, for the Issuance of the Village's \$2.5M General Obligation Bonds, Series, 2014;

Trustee Walsh moved, seconded by Trustee Wittenberg, to remove the resolution from the table. Carried by unanimous voice vote (6/0/0). Trustee Walsh moved, seconded by Trustee Schnaufer, to lay the resolution back on the agenda at the next meeting. Carried by unanimous voice vote (6/0/0).

4. A Resolution Awarding a Contract and Authorizing the Issuance of a Notice of Award for the 2014 Road Improvements Project for the Village of Indian Head Park, Illinois;

Trustee Walsh moved, seconded by Trustee Bailey, to remove the resolution from the table. Carried by unanimous voice vote (6/0/0). Trustee Bailey moved, seconded by Trustee O'Laughlin, to lay the resolution back on the agenda at the next meeting. Carried by unanimous voice vote (6/0/0).

5. Resolution to Approve Christopher Burke Engineering Agreement for the Cascade Drive/Pontiac Water Main Improvement Project; (Resolution #R6-14-1)

Trustee Hinshaw stated the Board received the resolution and engineering agreement today. He asked is there is a reason why something that has been in the works for a while is being sent the day of the meeting. Counsel Ramello stated he received the packet of information from the engineer yesterday. Mayor Andrews stated the water main project was tabled at the May 8th meeting in light of recent circumstances that developed with the road bond issue and he asked counsel to review the agreement so we would not get hung up by some other unforeseen event that would cause the road program to be further delayed because we did not have a contract in place for the water main project. Mayor Andrews stated Christopher Burke Engineering will provide professional engineering services not to exceed \$40,000 in connection with the Cascade Drive/Pontiac Water Main Project with the project to be paid for with available funds from the water and sewer fund. Trustee Wittenberg stated there is a blank space for the number of lineal feet of the project on the first page of the agreement. She asked if there is a number to be included in the agreement so there is a range not to exceed a certain number of lineal feet. Superintendent Santen stated a total of approximately 2,000 lineal feet will be the scope of work for the Cascade Drive/Pontiac Water Main Project. Mayor Andrews stated Cascade Drive will be inserted in the resolution title as well as any other page of the agreement where the reference to the project needs to be included.

Trustee Walsh moved, seconded by Trustee O'Laughlin, to approve the resolution regarding the Christopher Burke Engineering Agreement for the Cascade Drive/Pontiac Water Main Improvement Project, as amended. Carried by unanimous roll call vote (6/0/0). (*Resolution #R6-14-1*)

Ayes: Trustees: Bailey, Hinshaw, O'Laughlin, Schnaufer, Walsh, Wittenberg

Nays: None Absent: None

6. An Ordinance Waiving Bids, Awarding a Contract and Authorizing the Issuance of a Notice of Award for the Cascade Drive/Pontiac Water Main Improvements for the Village of Indian Head Park, Illinois; (Ordinance #2014-11)

Mayor Andrews stated the draft ordinance was distributed at the May 8th Board meeting so the June 12th date will be updated in the ordinance. He noted the Village received three quotes for each project through the efforts of Administrator Brooks and Dave Vandervelde. The low bidder was Uno Construction with a bid of \$184,400.00 for the Cascade Drive Project and \$171,900.00 for the Pontiac Drive Project. Mayor Andrews stated two other bids were received for the projects from Bisbing Construction Inc. and Western Utility. He noted a two thirds vote is needed to award the contract.

Trustee Schnaufer moved, seconded by Trustee Bailey, to approve an ordinance waiving bids, awarding a contract and authorizing the issuance of a notice of award to Uno Construction for the Cascade Drive/Pontiac Water Main Improvements for the Village of Indian Head Park,

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Illinois at a total cost for both projects not to exceed \$356,300.00. Carried by unanimous roll call vote (6/0/0). (*Ordinance #2014-11*).

Ayes: Trustees: Bailey, Hinshaw, O'Laughlin, Schnaufer, Walsh, Wittenberg

Nays: None Absent: None

7. An Ordinance Waiving Bids and Authorizing the Issuance of a Purchase Order to Morrow Brothers Ford for (2) Utility Police Vehicles; (Ordinance #2014-12)

Chief Brooks reported that an analysis of the Police Department motor vehicle pool was conducted which included a 2000 Chevrolet Impala to the most recent car a 2011 patrol vehicle. He noted two of the Dodge vehicles, a 2008 vehicle and a 2007 Dodge Charger are in need of a lot of work. The 2008 patrol vehicle with 112,000 miles had about \$5,000 worth of work since 2013, recently it was at the dealership and it was noted there are problems with the transmission drive train among other things, the quote to fix it was about \$7,500 (drive train, rear differential, drive shaft, center mount) the vehicle is not worth that much and his recommendation is a new vehicle is needed. Chief Brooks stated the Police Department could get by with one new vehicle, another new vehicle was included because there are similar issues with other police vehicles that are relatively old with over 100,000 miles. It was determined to consider replacement instead of putting more money into those vehicles that are used 24/7.

Chief Brooks stated he went to the State of Illinois site and there a few options: a three-year lease for a 2014 four door Caprice Classic or 2014 Ford Explorer that are fuel efficient with the option to purchase the vehicles at the end of the lease for \$1.00. He noted the State of Illinois leasing option is a good program so the Village does not have to come up with \$27,000 per car up front. Chief Brooks stated most municipal departments in the western suburbs have a couple of SUV's in their police fleet, there is an advantage with a four wheel drive as opposed to a rear wheel drive in the winter months, there are eight vehicles currently in the Indian Head Park vehicle fleet, four of those vehicles will be disposed of (one of the police vehicles has been sitting at Public Works for five or six years without an engine). Chief Brooks stated one of the police vehicles, a 2007 Crown Vic, with high mileage that was repaired will be used for the Township Hireback Program. He noted when a new vehicle is purchased it needs to be painted and there is a new vinyl type of stencil process that can be used at about a third of the cost instead of painting. Chief Brooks stated he wants to be fiscally responsible to get the vehicles up and running for the department, it will up to the Board to make the decision and the Kelly Blue Book value for the police vehicles to be disposed of is not much.

Mayor Andrews asked if Morrow Brothers Ford will take the police vehicles to be disposed of or will they be sold.

Chief Brooks stated Morrow Brothers will take the police vehicles for partial payment towards the purchase of new vehicles or they can be placed on EBay for sale as the Village has done in the past. Trustee Hinshaw asked if the price of the new vehicles will be reduced by the approximate amount of \$3,000 or \$4,500 that we get for the vehicles we no longer need. Chief Brooks responded, yes.

Trustee O'Laughlin stated in one of the Finance Committee meetings there was discussion about needing one or two police vehicles but the budget has not yet been reviewed for next year to determine if we can afford two cars. Mayor Andrews stated we need to operate a police department, it does not make sense to put a ton of money into a car that does not have the value with high mileage and two months after it is fixed it could be another \$5,000 to \$7,000 to fix. He noted one of the new vehicles was deferred from the budget last year to balance the budget, he supports getting a new police car, it will affect the bottom line to budget for it and the ordinance has language that the cars to be disposed of would be through Morrow Brothers or the language needs to be amended if the vehicles are to be sold on Ebay or at auction. Counsel Ramello stated the ordinance should have language that allows for disposal of vehicles to Morrow Brothers or otherwise dispose of as determined by the Village. Trustee Walsh asked what is the cost to lease the police vehicle in the first year. Chief Brooks stated the cost of the lease for a new car would be approximately \$10,000 the first year. Trustee Walsh stated he supports the purchase of a new vehicle instead of putting \$7,000 into an old car that needs that much repair.

Trustee Wittenberg stated in reviewing the ordinance she did not see a reference to a lease agreement. She asked what is the cost difference between the squad car and an Suv and how much is the equipment cost. Chief Brooks stated the lease would be through the Ford leasing program, the ordinance authorizes the purchase of the vehicles, a 2015 Caprice is about \$34,000. a 2015 Ford Explorer is about \$27,840, the police equipment and retrofitting for the police vehicle is between \$6,000 to \$7,000, the cost is fairly close between the two vehicles and he recommends the Ford Explorer Suv for the police department. Trustee Wittenberg stated she would like to know what the differences are between the squad car and the Suv and the differences in the operation expenses between the two vehicles since one vehicle gets an estimated 24 miles a gallon, the other gets 19 miles per gallon of gas and what are the other options. Chief Brooks stated factors listed on a Website does not account for stopping, starting and running vehicles, the police vehicles are rarely on the highways, he does not have operation and vehicle expense costs and the best option is to lease the vehicles with the option to purchase to not have the brunt of the expense close to \$60,000 to buy two new police cars. Trustee Hinshaw stated he was amazed the Ford Suv is less money, he agrees having a couple Suv's in the fleet is a good idea and asked if the price is a good deal because it is a State-wide bid process. Chief Brooks stated the State of Illinois has a contract for a variety of things including police utility vehicles, the best possible price is offered, it happens to be a Ford dealership in Mayfield, Illinois and they have a State joint purchase contract for police pursuit vehicles. Chief Brooks recommended two new Ford Explorer Suv police vehicles since some vehicles are no longer manufactured such as the Ford Crown Victoria and Dodge Charger which has been the standard police vehicles for many years but if the Board decides the Caprice is a better option that is fine too. He noted for quite some time the Police Department has vehicles that are old and not functioning, the cars have been taken to the dealership for many repairs and they need to be replaced.

Trustee Hinshaw stated he is in favor of a police vehicle lease over a purchase and he agrees with Trustees O'Laughlin and Wittenberg that this topic should have been after the budget discussion.

Mayor Andrews stated we have a car that needs \$7,500 worth of repairs, we need a vehicle to perform the function of the police department, the budget will not be finalized for a couple of weeks, one vehicle is already budgeted, the first year cost for a vehicle would be about \$17,000, the mission of the police department is to protect the community and the vehicle should be purchased. The only difference from the budget is one more vehicle. He asked if the ordinance is approved how long would it be before we get delivery of the police vehicles. Chief Brooks stated it would take twelve weeks. Trustee Hinshaw stated if there is one vehicle already in the budget it sounds like there will be no discussion about the budget. Mayor Andrews stated the draft budget for the Board's consideration has one police vehicle factored in and there is discussion about adding one more vehicle. Trustee Walsh stated he supports the lease of a police vehicle, we have been putting off purchasing vehicles for a long time, public safety is important to have functioning vehicles and we would have to spend \$7,500 to fix the police car that is in need of repairs so it would be best to put that money towards a new car. He asked if changes need to be made to the ordinance to include the lease. Counsel Ramello stated the lease would be considered by a separate resolution. Trustee O'Laughlin stated it was agreed upon by the Finance Committee to include one police vehicle in the budget, we can get one vehicle and see how it goes and understands we need to do it if there is equipment failure. She asked if we have enough police vehicles to cover all the shifts. Chief Brooks stated we could get by with one new vehicle, we have three cars per shift, we have one vehicle with 144,000 miles in the fleet and there is a plan to get rid of it instead of putting money into it for repairs so anything other than routine vehicle maintenance would not be fiscally responsible. He noted the Village has three police vehicles with over 100,000 miles and a lot of maintenance expenses. Trustee Wittenberg stated it is a good idea to get one police vehicle now, see how it goes and make another decision next year. Chief Brooks stated he is not comfortable with amending the ordinance to lease one vehicle, his recommendation is to get one Ford Explorer and one Chevrolet Caprice, we are spending a lot of money on vehicle maintenance on cars with over 100,000 miles that have engine light problems and various components malfunctioning, the time will come when we need to expend the money for new cars. Chief Brooks asked if the lease for a second vehicle is in the budget for next year. Dave Brink stated the current fiscal year budget has \$17,000 for one police vehicle (\$10,000 towards a lease and \$7,000 for equipment), if two Ford Explorers were purchased the cost would be \$56,000 plus \$14,000 for equipment, in year one the cost would be \$34,000 to buy the car, the lease for a car would be a current rate of about 3%, leasing would reduce the tax cap by almost \$1,100 per vehicle. Chief Brooks stated the Village can also check with the State to find out if there are any 2014 Chevrolet Caprice vehicles that have not been sold if the Board decides at a later date to acquire another police vehicle. Trustee Walsh suggested amending the ordinance to include (1) 2015 Ford Explorer Police vehicle.

Mayor Andrews entertained a motion to approve an ordinance waiving bids and authorizing the issuance of a purchase order to Morrow Brothers Ford for (1) 2015 Ford Explorer Utility Police Interceptor Vehicles, as amended. Trustee Walsh moved, seconded by Trustee Bailey, to approve an ordinance waiving bids and authorizing issuance of a purchase order to Morrow Brothers Ford for (1) 2015 Ford Explorer Utility Police Interceptor Vehicles. (Carried by roll call vote. (5/1/0).

Ayes: Trustees: Bailey, Hinshaw, O'Laughlin, Walsh, Wittenberg

Nays: Trustee Schnaufer

Absent: None

8. An Ordinance Authorizing Sale of Surplus Personal Property of the Village of Indian Head Park; (Ordinance #2014-13)

Mayor Andrews stated the ordinance presented defines four police vehicles to be disposed of or sold: (1) 2004 Ford Crown Victoria, (1) 1996 Chevreolet Impala, (1) 2007 Dodge Charger, (1) 2008 Dodge Charger.

Trustee Bailey moved, seconded by Trustee Schnaufer, to approve an ordinance authorizing sale or disposal of surplus property of the Village of Indian Head Park. Carried by unanimous roll call vote (6/0/0).

Ayes: Trustees: Bailey, Hinshaw, O'Laughlin, Schnaufer, Walsh, Wittenberg

Nays: None Absent: None

9. Approval of the Village of Indian Head Park Fiscal Year Budget for 2014/2015

Mayor Andrews entertained a motion to approve the Village of Indian Head Park Budget for fiscal year 2014/2015. Trustee Schnaufer moved, seconded by Trustee O'Laughlin, to approve the Village of Indian Head Park Budget for fiscal year 2014/2015. Carried by unanimous voice vote (6/0/0). Mayor Andrews asked members of the Finance Committee to make a presentation of the budget to the Board.

Dave Brink stated the draft budget has been available since last Thursday and was also placed on the Village Website. He thanked the Finance Committee who spent countless hours during February, March and April working towards getting the document prepared and as discussed tonight the budget is an ever changing document. Dave Brink noted the following 2014/2015 budget items: (1) the engineering expenses in connection with the water main and project itself is not included in this budget and could not be added until approved by the Board. With the watermain project not being included the overall affect on the budget will be a deficit of \$396,000 and a deficit in the water fund by the same amount. The water fund balance as of May 31st is \$560,000 so there are funds available for the project expenses; (2) June 26th a budget meeting will be held and any changes authorized to be made will be included in another draft of the budget; (3) the total budget has revenues of \$6,381,646 and expenses of \$6,366,590 which translates into a surplus of \$15,048. However, there is a \$175,000 contract for engineering related to the 2014 road bond (of that \$175,000 the amount of \$60,684 was spent in fiscal year ending April 30, 2014 and bonds proceeds have not yet been received. Those expenses were paid for with general funds so when bond proceeds are received the \$60,684 needs to be paid back to the general fund. The \$60,684 is shown as a revenue which makes the surplus \$15,048. He noted if the road bond had been done in fiscal year 2015 the overall deficit would be \$45,636; (4) the general fund is looking at \$2,513,479 in revenues and \$2,433,429 in expenses. That \$60,684 comes into play on the revenue side because if we took it out that would leave a \$2,453,000 in revenue with a \$20,000 surplus in the general fund; (5) the water and sewer fund has a proposed revenue of \$1,033,940 and expenses of \$1,094,615 including \$90,000 set aside for depreciation; (6) the motor fuel tax fund has \$109,895 in revenue and \$126,588 in expenses; (7) E911 fund

revenue is \$57,500 and expenses of \$52,032 with a \$5,000 surplus; (8) the special parks fund (S.E.A.S.P.A.R.) has revenue of \$30,591 and expenses of \$24,192; (9) the bond and interest fund includes the 2009 bond expenses and revenues from cell towers and the transfer from the general fund into that fund to insure we pay the 2009 series bond. Revenue is \$155,741 and expenses are the same and; (10) the road improvement bond we are expecting expenses of \$2,480,000 and \$500.00 in interest.

Mayor Andrews stated with regard to the budget he is proposing an across-the-board pay increase for employees of 2% except police department personnel covered by a collective bargaining agreement that was previously negotiated with sworn full-time police officers. He noted the raise is a cost of living increase and the budget expense would be \$16,235.85 and the \$15,048 surplus can be used for those purposes. Mayor Andrews suggested the following budget items could be reviewed: (1) on the revenue side to look at fees for business licenses the Villages charges since the last time the fees were increased was 2009; (2) counsel has advised as a nonhome rule community the Village could impose a 1% restaurant tax to generate revenue; (3) we should start to track expenses for resources to respond to F.O.I.A. requests since time, effort and money is spent for those purposes. He mentioned a Finance Committee meeting was postponed because office staff had to devote full time responding to a F.O.I.A. request. Mayor Andrews pointed out it is the right of a person to request information under F.O.I.A., people are taking advantage of the Village with taxpayer dollars to use the information for whatever purposes, it is becoming a drag on staff and maybe we need to budget \$5,000 or \$10,000 for a part-time employee to handle F.O.I.A.'s so people in the office can get their work done; (4) Chief Brooks has been researching the cost of a Website and a new Website can be done for as little as \$4,000 or as much as \$30,000; (5) a recommendation was made to increase sewer fees to cover the new Metropolitan Water Reclamation District new infiltration inspection and maintenance program for sanitary sewers at a cost of \$24,000 for one tenth of the Village's sewer system with the entire system to be inspected in ten years and that might necessitate a raise in the fixed monthly sewer fee by \$1.20 for Indian Head Park residents on the Village's system.

Trustee Hinshaw stated one of items that was proposed was the cost for repairing or buying new microphones and he would like to add that item into the budget. He noted the cost to move the screen in the Board Room can be done either in-house or may not cost too much and that should be added to the budget also. Trustee Hinshaw stated he is in favor of the Website work, there is a Devry teacher in Indian Head Park that about a year ago volunteered to use her students for the Website to take on as a class project over time that could be free or for a lower fee and if more items are added to the Website it may cut down on the number of F.O.I.A. requests since most of the information requested could be posted on the Website. Trustee Hinshaw stated he agrees with a \$1.20 monthly sewer rate increase so the program is revenue neutral. Trustee Wittenberg suggested P.A.S.E.R. software updates and E-Pay be included in the budget so water and sewer bills can be paid on-line.

Dave Brink stated he contacted the State Treasurer's Office to find out more about E-Pay, the person he talked to initially may not work at that office any longer since he left countless voicemail messages over the last six weeks without a return phone call. He noted based on the preliminary information, there is an equipment cost of \$650 to \$800 to implement E-pay in the Village, on-line would visit our Website and it would transfer that person to the State Treasurer

site to make payment and the user may have to pay a convenience fee. Dave Brink stated he has also checked with the State Bank of Countryside who informed us we could not use the ACH debit system to pull money out of other people's accounts. He noted the State Bank of Countryside does have the capability to provide a one-time software module at \$1,000 for water billing plus \$180.00 per year for licensing and tech support that would allow people to sign up for their bills to be taken out of their account on the due date. Dave Brink stated he is not sure if the E-Pay system would work for on-line credit card payments for Village stickers to interact with that software program.

Trustee Hinshaw asked what Indian Head Park land bank meant. Mayor Andrews stated the Village owns some properties such as the vacant land at Plainfield and Wolf Road and the Heritage Center property. There was some discussion if the Village could put the properties on the market and taking that revenue to use for other purposes. Trustee Hinshaw stated the Finance Committee noted we are losing the discount for the monthly legal services retainer. Dave Brink stated he was informed the monthly legal service retainer of \$6,000 went to \$7,500 per month and that is the amount that is in the agreement with the law firm. Trustee Hinshaw stated the monthly retainer used to be \$9,000, it was cut to \$7,500 per month and without the data it cannot be determined where we spend that money. He noted a review of many area communities per resident cost for legal expenses are almost double so the legal retainer should be dropped or reduced to an hourly rate. Trustee Hinshaw stated road depreciation is important in the budget, some of the roads are being addressed with the bond but there are other roads in five to eight years that may need repairs, we are not saving any money for roads and some amount should be set aside to take care of roads whether it is \$100,000 or \$200,000 or another amount. Trustee Hinshaw thanked Dave Brink and John Brooks for saving money on the telecommunication expenses.

Trustee Hinshaw stated there was a mention to reduce the number of Smoke Signals, a big chunk of those expenses is for printing and mailing and he suggested that the newsletter could be on the Website only to avoid the printing and mailing costs. He noted the uniform allowance expenses of \$2,000 could be cut as well as eliminating the flexible spending account that the Village is not getting the benefit for the cost to the Village.

Dave Brink stated the budget shows \$95,000 for legal services at the \$7,500 per month plus \$5,000 for additional expenses; stated he is one of the few employees that use the flexible spending account, the monthly fee is for overseeing the program and the idea is to get enough people on it to save on payroll tax but that is not the case here since usage has dropped. He noted the flexible spending account has to stay in place the next two budget years since it is specifically mentioned in the police collective bargaining agreement that expires on April 30, 2015 and there is someone in the contract who is utilizing it and we cannot end the program in the middle of the year.

Trustee Wittenberg stated she wanted to talk about the healthcare plan changes we can take advantage of as we are negotiating the next contract for healthcare benefits. Dave Brink stated during the Finance Committee meetings Trustee O'Laughlin asked if there is any third tier offered for health insurance benefits.

Dave Brink stated currently there is single coverage or family coverage but he contacted the health insurance pool representatives and there is a third tier available for employee plus one coverage, there is no cost difference for the employer in terms of what the Village's cost would be. However, based on the current breakdown there is one person who could take advantage of the employee plus one tier which is quite a reduction in the amount of the monthly premium for that employee's share of the premium. Dave Brink stated the monthly premium for that employee would be lowered significantly, the amount of premium for someone with more than one dependant would be slightly higher and the employee plus one would save about \$50.00 per month on the employee premium and family coverage would go up about \$5.00 per month. Dave Brink noted there is no cost savings to the Village or change in the line item expenses, it would be the way it is allocated.

Mayor Andrews stated with regard to the legal services retainer, as the downturn in the economy occurred Storino, Ramello and Durkin voluntary reduced their retainer rate to \$6,000 per month, as of March 1st of this year, it went back to \$7,500 per the contract, we cannot compare with towns such as Burr Ridge, Western Springs, Countryside and LaGrange that generates lots of revenue. Mayor Andrews stated in the 1990's he recalled the Village was on an hourly legal rate and the legal cost for services over the year was about \$150,000 to \$200,000. Mayor Andrews stated he needs to be able to pick up the phone to consult with legal counsel when issues come up such as the road bond, research needs to be done, with a retainer we can get the answers to those questions, some things are not covered by the retainer, we do not know what the expenses will be on an hourly rate and the same applies for engineering expenses. Mayor Andrews stated we will not save money with hourly legal services, if anything we would jeopardize the Village with potential problems and lawsuits that might cause the Village to not seek legal counsel when they should and a retainer is the way to go. He noted former Mayor Pellegrino during his term stated legal service expenses were out of control on an hourly rate, he negotiated a retainer and it reduced the expenses.

Trustee Wittenberg stated the Board needs to know how much of the professional legal service retainer is used every month and a metric with the facts, the information needs to be provided each month then we can all make the decision together and reach a compromise that is best for the Village.

Mayor Andrews stated perhaps we could cut down the Smoke Signal issues to a quarterly issue to save money but there are some senior residents in the Village that do not have internet access to get an on-line issue of the newsletter, he would be against taking away a form of written communication to the community and would not be in favor of getting rid of the paper copy of the Smoke Signals. Mayor Andrews stated the \$2,000 uniform allowance line item for Public Works is about \$500 per person per year for safety boots and other items, it has been in place for a long time, it is a benefit and if the Board wants to eliminate that allowance we can take that \$500 and add it onto each of the salaries of the Public Works employees. He stated we should not hurt the employee, it is an unnecessary step and if it is eliminated we should take that money and divide it up among the four employees and add it to their salary.

Trustee Hinshaw stated he did not say get rid of Smoke Signals but suggested cutting back and mailing every other one or putting it on-line. Mayor Andrews stated each issue of Smoke Signals is already posted on-line in addition to the mailing. Trustee Hinshaw stated with respect to the legal bills, there are expenses of \$13,794.45, we did not get the information we were supposed to get and 80% of that information is redacted so as a Board member he has no idea what we paid \$13,794.45 because there is no metric provided or what those expenses were for because there is no data. Dave Brink stated one month of legal expenses was \$6,000 but he did not have the detail and another month was \$7,500 and that detail with some redacted information was emailed to Trustee Hinshaw. Mayor Andrews stated if Trustee Hinshaw mentioned the data is lacking we can use the same basis than we cannot cut legal expenses by one-third if we do not know what the expenses are. Trustee Hinshaw stated he can compare legal expenses to other Villages to see how they are doing it, our legal expenses are twice the cost per resident and a few years ago the Village paid \$80,000 for one legal matter. Mayor Andrews stated anyone can file a lawsuit for few hundred dollars, the Village has no choice but to defend itself and the \$80,000 litigation was not started by the Village but something the Village tried to avoid.

Superintendent Santen stated the 1995 Public Works dump truck is badly in need of replacement, the condition of the frame and cab has slowly rotted away, the dump body has rusted and there are several holes and it is in bad shape and it is the main vehicle used for plowing and salting the Village streets. He noted the mechanic who works on the vehicle stated the frame is unsafe and the vehicle is no longer reliable on the streets for the safety of the community. Mayor Andrews asked how much would it cost to replace the dump truck. Superintendant Santen stated through the State purchasing program a dump truck cost is approximately \$100,000. Mayor Andrews asked if leasing over a number of years is an option. Superintendent Santen stated he would find out the costs to lease a dump truck. He noted the John Deere Tractor was paid off over a number of years and that vehicle is used for water main break repairs as well as spreading salt in the winter months. Mayor Andrews stated with some of the equipment Public Works are able to fix some of the watermain breaks in-house, he is concerned with safety of residents and having proper functioning vehicles to clear the streets and we had some bad winters. Trustee Wittenberg asked how many trucks do we have in Public Works. Superintendant Santen stated there are two trucks and the other vehicle is also in bad shape, both trucks are used for snow plowing operations and need some dump body work, the vehicles are in working order but if the vehicle safety inspection may determine the vehicles to be unsafe and it is prudent for the Village to buy vehicles and save money by having more equipment. Trustee Wittenberg stated if there is such a need for a new truck why was that not included in the budget. Dave Brink stated at the time the Finance Committee met we were trying to get to a surplus to balance the budget without the big dollar expenses, those items were listed separately so they could possibly be considered at some point and he needs to get direction what to include in the next draft of the budget. Trustee Hinshaw stated in the winter months we could contract out for additional services with companies that have trucks for plowing, he needs to know what would it take to make the Public Works vehicle safe whether it is a patch or other repair and \$100,000 is a lot of money for a new truck. Chief Brooks stated he does not know what contracting out for plow services would cost. Superintendant Santen stated as the Public Works Director he is just trying to do his job, if the department does not have the money for equipment they cannot do its job, the County buys snowplow trucks that cost \$250,000 and if anyone is interested in seeing the condition of the dump truck it is at Public Works.

Trustee Hinshaw stated he would like to get the truck today but the Village is cash strapped and he appreciates the work of the Public Works Department. Trustee Walsh asked if Superintendant Santen could look into a lease for the truck and how we could budget for it. Trustee Wittenberg asked if both purchase and lease options could be provided as well as the benefit of having the equipment. Mayor Andrews asked Superintendent Santen to obtain the information requested by Trustee Wittenberg before the next meeting and to arrive at a dollar amount for the cost of a dump truck so it can be determined whether or not we can include it in the budget.

Mayor Andrews stated at this point, direction needs to be given to Dave Brink to adjust the proposed budget as follows: (1) a 2% pay raise for employees; (2) a second police vehicle; (3) a public works dump truck; (4) a new website; (5) clothing allowance for Public Works employees; (6) \$1.20 for a sewer increase; (7) possibly reducing the number of printed Smoke Signals sent by mail or going to a quarterly newsletter. Mayor Andrews stated some of the mailing routes are saturation routes and there is a carrier mailing route that must have labels.

Trustee Wittenberg moved, seconded by Trustee Schnaufer, to include the first year cost of a truck in the budget for consideration at the next meeting. Carried by unanimous voice voice (6/0/0).

Trustee Walsh moved, seconded by Trustee Wittenberg, to reduce the Smoke Signals to a quarterly newsletter for consideration at the next meeting. Carried by unanimous voice vote (6/0/0).

Trustee Schnaufer moved, seconded by Trustee Bailey, to approve a 2% pay raise for employees for consideration at the next meeting. Carried by unanimous voice vote (6/0/0).

Trustee Hinshaw moved, seconded by Trustee Walsh to include a lease to own in the budget for a second police vehicle for consideration at the next meeting. Carried by unanimous voice vote (6/0/0).

Trustee Wittenberg moved, seconded by Trustee O'Laughlin, to increase the sewer rate by \$1.20 per month for consideration at the next meeting. Carried by unanimous voice vote (6/0/0).

Trustee Hinshaw moved, seconded by Trustee Wittenberg, to allocate \$10,000 in funds for development and improvement of the website for consideration at the next meeting. Carried by unanimous voice vote (6/0/0).

Trustee Hinshaw moved, seconded by Trustee Wittenberg, to add \$2,000 to the budget for microphones for the Board Room for consideration at the next meeting. Carried by voice vote.

Trustee Hinshaw moved, seconded by Trustee Wittenberg, that a road depreciation fund be started at \$50,000 for this year for consideration at the next meeting. Carried by unanimous voice vote (6/0/0).

Trustee Hinshaw moved, seconded by Trustee O'Laughlin, to cut the legal expense retainer to \$5,000 per month for consideration at the next meeting. Carried by voice vote.

Trustee Wittenberg asked if there were other items discussed by the Finance Committee that were not mentioned. Trustee Hinshaw stated the following expenses were mentioned in the budget memo: the W.C.M.C. membership fee of \$7,181.91, consider reducing or eliminating the Smoke Signals was discussed, switching to hourly instead of retainer for engineering and legal services, \$2,000 in expenses for Public Works clothing and uniforms and the flex spending account. For revenue, possibly raising vehicle sticker fees, increase other fees for services and increase in sewer fees. Trustee Schnaufer stated the Finance Committee discussed these recommendations.

Trustee Wittenberg stated based on all of the recommendations there will be a huge deficit. She suggested a scenario for the revenue side to show a degree of surplus before the next meeting to take a look at both sides of the budget both revenues and expenses as well as depreciations. Mayor Andrews stated Dave Brink will not be available to put a lot of time in the budget in the next two weeks to get all of the information. He noted some of the figures have already been determined if we add a certain dollar amount to vehicle sticker fees we know what the revenue will be, the cost of water delivery system will be more complex.

Trustee Schnaufer moved, seconded by Trustee Hinshaw, to continue the budget discussions to the special Board meeting on Thursday, June 26, 2014 at 7:30 p.m. Carried by unanimous voice vote (6/0/0).

QUESTIONS AND/OR COMMENTS FROM THE AUDIENCE

Joseph Benson, resident and owner of Central Blacktop asked for the Senate Bill at the Governor's Office regarding the road bond. Mayor Andrews stated the Senate Bill 3425.

Chris Metz, of Arrowhead Court, stated he received a letter from the Attorney General's Office yesterday in response to a review he requested regarding a possible violation of the Open Meetings Act by the Board at the February Board meeting. The Attorney General determined it was a violation. He asked what the Village plans to do in the future in terms of openness and transparency, they also found that an item was discussed that was not an executive session item and also that executive session minutes were not kept. Mayor Andrews stated the Board intends to comply with the non-binding opinion letter from the Attorney General and there was a portion of the meeting that got off the topic of discussion.

Lou Mini, of Pontiac Drive, stated he heard a lot of discussion about the legal retainer and it appears some Board members do not know what the expenses are for legal expenses. Mayor Andrews stated there is an attorney client privilege and there is an issue on the Board with respect to confidentiality and he signs the check that goes out and is aware of the expenses.

ADJOURNMENT

There being no further business to discuss, Trustee Schnaufer moved, seconded by Trustee O'Laughlin, to adjourn the regular Board meeting at 11:50 p.m. Motion Carried by unanimous voice vote (6/0/0).

VBT Minutes
June 12, 2014 Regular Board Meeting

Submitted by, Joseph V. Consolo, Village Clerk

Minutes prepared by, Kathy Leach, Deputy Clerk/Recording Secretary